

REMARKS

The foregoing amendment is submitted to more clearly set forth the claimed invention and to highlight the differences between the claimed invention and the cited prior art. In this regard, claim 1 has been amended to indicate that the second game area is comprised of at least one row with each row therein being adjacent a corresponding row in the first game area. In addition, the target indicia present in each row of the second game area is aligned with the play indicia in the first game area such that a prize may be won only if the target indicia of one row is found in a corresponding row of the first game area. Support for the amendment to the present claims can clearly be seen from the embodiment of the invention shown in Figure 2 and the description provided in the specification, for example, from page 4, line 15 to page 5, line 10. Entry of the amendment is therefore deemed proper and is respectfully requested.

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Claims 1-8 of the present application stand rejected as unpatentable over Behm et al. (U.S. Patent No. 5,451,052). The Office Action states that Behm et al. discloses in Figure 2 a lottery ticket comprising a first game area (130) containing a plurality of play indicia (132, 134, 136) on a plurality of rows (131). A second game area is designated 110-110B containing target indicia (112, 114, 116) which if present in the first game area may result in a prize being won. The rejection is hereby traversed and reconsideration is respectfully requested.

As previously indicated, the present invention is directed to a lottery ticket with aligned rows of a first game area and adjacent and corresponding rows in a second game area which contain the target indicia. The entire purpose of the game played in the present invention is to find play indicia in the first game area corresponding to 5 that found in the second game area. However, a prize will not be awarded unless a row containing the target indicia finds correspondence in an adjacent row of the first game area.

This particular arrangement facilitates the play of particular type of games 10 such as a card game as shown in Figures 2 and 3 and a dice game as shown in Figure 4.

To the contrary, Behm et al. is directed to a lottery ticket whose purpose is to provide a single set of play indicia (e.g. 130) being found in multiple locations (e.g. 15 early draw, midday draw, late draw, etc.). To the contrary, the present invention is directed to a particular type of game having structural features in which there is a correspondence between adjacent rows of first and second game areas where a prize is only won if there is a match between the target indicia of the second game area of a particular row and the play indicia of an adjacent row in the first game area. 20 These structural distinctions clearly differentiate the present invention from that disclosed in Behm et al.

Furthermore, one of ordinary skill in the art would not be motivated to amend the scratch-off game and game piece disclosed in Behm et al. to arrive at the

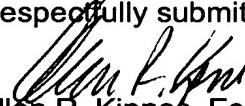
presently claimed invention. Indeed, to arrive at the claimed invention, one would have to entirely discard the purpose behind the Behm et al. game piece; namely, to provide one game area containing a single set of play indicia which can be matched in multiple second game areas to obtain multiple prizes.

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It is therefore submitted that the present application is in condition for allowance and early passage to issue is therefore deemed proper and is respectfully requested.

10            It is believed that no fee is due. However, if any fee is due, it should be charged to Deposit Account No. 23-0510.

Respectfully submitted,

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